UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/48/L.36/Rev.1
3 December 1993

ORIGINAL: ENGLISH

Forty-eighth session
THIRD COMMITTEE
Agenda item 114 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Australia, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Gambia, Germany, Hungary, Iceland, Ireland, Japan, Luxembourg, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: revised draft resolution

Situation of human rights in Cuba

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and other applicable human rights instruments,

Reaffirming also that all Member States have an obligation to fulfil the commitments they have freely undertaken under the various international instruments,

Taking particular note of Commission on Human Rights resolution 1993/63 of 10 March 1993, 3/ in which the Commission recognized with deep appreciation the efforts of the Secretary-General and of the Special Rapporteur to carry out their mandate concerning the situation of human rights in Cuba,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

Noting as well concern about ongoing reports of serious violations of human rights in Cuba, as outlined in the interim report on the situation of human rights in Cuba 4/ presented to the General Assembly by the Special Rapporteur on Cuba,

Recalling the failure of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolution 1992/61 of 3 March 1992 5/ by refusing to permit the Special Representative to visit Cuba, and its response, as cited in appendix II to the 1993 interim report of the Special Rapporteur, 4/ in which Cuba stated "we emphatically reject resolution 1992/61 and, accordingly, we cannot cooperate in its implementation in any way",

1. Commends the Special Rapporteur of the Commission on Human Rights for his interim report on the situation of human rights in Cuba; 4/

2. Expresses its full support for the work of the Special Rapporteur on Cuba;

3. Calls upon the Government of Cuba to cooperate fully with the Special Rapporteur on Cuba by permitting full and free access by the Special Rapporteur on Cuba in order to establish contact with the Government and the citizens of Cuba so that he may fulfil the mandate entrusted to him;

4. Regrets profoundly the numerous uncontested reports of violations of basic human rights and fundamental freedoms that are described in the report to the Commission on Human Rights of the Special Rapporteur 6/ and in the interim report of the Special Rapporteur of the Commission on Human Rights; 4/

5. Calls upon the Government of Cuba to adopt measures proposed by the Special Rapporteur to ratify international human rights instruments; to cease the persecution and punishment of citizens for reasons related to freedom of expression and peaceful association; to permit legalization of independent groups; to respect guarantees of due process; to permit access to the prisons by national independent groups and international humanitarian agencies; to review sentences for crimes of a political nature; and to cease retaliatory measures towards those seeking permission to leave the country;

6. Decides to continue its consideration of this question at its forty-ninth session.

4/ A/48/562.

5/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

6/ E/CN.4/1993/39.